

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of

Docket No: Q68079

Kenji TERAOKA

Appln. No.: 10/043,165

Group Art Unit: 2637

Confirmation No.: 5038

Examiner: QUTBUDDIN GHULAMALI

Filed: January 14, 2002

For: CDMA RECEIVER PERFORMING A PATH SEARCH, PATH SEARCH METHOD,
AND PROGRAM THEREFOR

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF
UNDER 37 C.F.R. § 41.37

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant received a Notification of Non-Compliant Appeal Brief dated November 6, 2006. In response thereto, Appellant presently resubmits the Appeal Brief, in which the alleged deficiencies of the originally filed Brief are addressed.

Appellants now turn to the alleged deficiencies of the Appeal Brief using the same numbered paragraphs as in the Notification:

4. The Examiner alleges that the Brief does not contain a concise explanation of the subject matter defined by each of the independent claims on appeal with reference to the specification by page and line number. In response, Appellant notes that the Summary of the

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Claimed Subject Matter, which is presented on pages 5-8 of the resubmitted Brief, provide reference to the specification by line and page number for the features recited by independent claims 13 and 20.

6. The Examiner alleges that the Brief does not present an argument under a separate heading under each ground of rejection on appeal. Appellant notes that the Brief has been revised to provide a heading for the single grounds of rejection presented in the Appeal Brief.

In view of the foregoing, including the Resubmitted Appeal Brief, it is submitted that the Brief is in full compliance with the rules. Accordingly, consideration of the arguments presented therein is respectfully requested.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted.



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CUSTOMER NUMBER

Date: **December 5, 2006**